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the Tukabahchee chief said to Hitchcock: "When we order out the people to make a public fence, if they don't turn out, we send and take away their gun, or horse, or something else to punish them." [73]

Adair tells us that neglect of the regular morning plunge into running water was deemed a heinous crime and was punished by dry scratching. [73a]

Mention has been made above of the device resorted to by McGillivray in order to bring recalcitrant towns to order.

"When the inhabitants of any particular town are notorious for horse-stealing, or have acted otherwise unadvisedly, the chief has the entire power of punishing them collectively by removing the white man from among them, and depriving them of trade. This at once humbles them most effectually; for they conceive the privilege of having a good white trader in their town, to be inestimable." [73]

After the removal of the Indians to Oklahoma I am told that the following was the usual procedure in cases of theft. A council of the people or clans in the neighborhood was held and the matter was reported to the chief of the Creek Nation who then sent light-horsemen after the culprits, although sometimes he left the apprehension of them to the people living in the neighborhood. When these had been brought to trial and convicted they were usually lashed, and the lashing was by no means a light matter, according to those who have observed it, the blows raising huge welts on the flesh and death not infrequently ensuing. Debts of licensed traders were sometimes brought before the national council for adjudication. [74]

Escaped murderers and adulterers, and those who had committed lesser offenses and had withdrawn from their people to avoid the ridicule and contempt of their fellow townsmen, formed a class from which, says Bartram, generally came the ruffians who committed depredations and murders on the frontiers. [75] The foundation of new towns may sometimes be traced to them, as indeed is frankly admitted by members of those towns themselves. It is said that the town of Wiwohka had such an origin, and it is also claimed for others like Hilibi on less satisfactory grounds. In later times many such people swelled the population of the Florida Seminole.

Adair is the only writer to say anything about oaths used in adjuring a witness to give true evidence, and in this connection he does not mention the Creeks, only the Cherokee, Chickasaw, and Choctaw. The Chickasaw and Choctaw oath he gives as *Chiklooska ke-e-u Chua*, [76] which he interprets "Do not you lie? Do you not, of a certain

[73] Hitchcock, Ms. notes.

[73a] Adair, Hist. Am. Inds., p 130; see p. 166.

[73] Swan in Schoolcraft, Ind. Tribes, vol. v, pp. 261-262.

[74] Schoolcraft, Ind. Tribes, vol. i, p. 277.

[75] Bartram, Travels, p. 512.

[76] *Lushke* is a Chickasaw word meaning "to lie"; *chiklushke* signifies "you do not lie"; *ke-e-u* (or *keyu*) is the negative. The form used here is a strengthened one.

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truth?" And the answer is *Akloosko Ke-e-u-que-Ho*, "I do not lie; I do not, of a certain truth."[77] Regarding epithets he says, "the sharpest and most lasting affront, the most opprobrious, indelible epithet, with which one Indian can possibly brand another, is to call him in public company, *Hoobuk Waske*, Eunuchus, praeputio detecto."[78]

GENERAL CUSTOMS

In treating of the general customs of the Creeks it will be well to keep in mind certain cycles. Thus there were customs that concerned the cycle of human life itself, including the important events incident to existence, such as birth, puberty, marriage, and death. There were certain others determined by the annual cycle of the seasons, and still others by the shorter cycle of day and night. Beyond these there were still other customs independent of changes in life or nature. It will be as well to take up the customs concerned with events incident to human life in the first place, and then proceed to the rest.

The Vital Cycle

PUBERTY AND CHILDBIRTH

The regulations imposed upon a woman at the time of her monthly periods and at childbirth resembled each other in many particulars and may be conveniently treated together. Adair's account is the oldest. It applies primarily to the Chickasaw, but there was little difference between their usages and those of the Creeks. He says:

". . . They oblige their women in their *lunar retreats*, to build small huts, at as considerable a distance from their dwelling-houses, as they imagine may be out of the enemies reach; where, during the space of that period, they are obliged to stay at the risque of their lives. Should they be known to violate that ancient law, they must answer for every misfortune that befalls any of the people, as a certain effect of the divine fire; though the lurking enemy sometimes kills them in their religious retirement. Notwithstanding they reckon it conveys a most horrid and dangerous pollution to those who touch or go near them, or walk anywhere within the circle of their retreats; and are in fear of thereby spoiling the supposed purity and power of their holy ark, which they always carry to war; yet the enemy believe they can so cleanse themselves with the consecrated herbs, roots, etc. which the chieftain carries in the beloved war-ark, as to secure them in this point from bodily danger, because it was done against their enemies.

"The non-observance of this separation, a breach of the marriage-law, and murder, they esteem the most capital crimes. When the time of the women's separation is ended, they always purify them-

[77] Adair, Hist. Am. Inds., p. 51. [78] Ibid., p. 186.